

UNITED STATES DISTRICT COURT

for the

Western District of Texas

United States of America)

v.)

DOTTIE ANN TALAVERA)

Case No.)

SA: 16-MJ-300)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 5, 2016 in the county of Bexar in the
Western District of Texas, the defendant(s) violated:

Code Section

18 U.S.C. 111(a)(1)

Offense Description

Assaulting, resisting or impeding certain officers or employees

PENALTIES: Up to 20 years imprisonment, \$250,000 fine, 3 years
supervised release, \$100 mandatory special assessment.

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.


Complainant's signature

WALTER ZAPATA, S/A HUD

Printed name and title

Sworn to before me and signed in my presence.

Date:

4/6/2016


Judge's signature

City and state: SAN ANTONIO, TEXAS

PAMELA A. MATHY, U.S. MAGISTRATE JUDGE

Printed name and title

AFFIDAVIT

I, Walter R. Zapata, Special Agent, Department of Housing and Urban Development-Office of Inspector General (HUD-OIG), being duly sworn, state as follows:

1. I am an Investigative or Law Enforcement Officer of the United States and am authorized to conduct investigations, audits and enforcement activities in connection with the enforcement and administration of all laws and regulations, orders, contracts, and programs in which the U.S. Department of Housing and Urban Development is or may be a party of interest as authorized by the Inspector General act of 1978.

2. I have been a Special Agent for ten years. I am currently assigned to work investigations involving fraud, waste and abuse concerning HUD funds and programs. In carrying out investigations with HUD-OIG, I have performed and continue to perform various duties which include: a) working as a case agent directing and managing investigations of various illegal activities; b) examining records of various public and private entities to determine if any violation of laws occurred; and, c) talking to witnesses to determine their recollection of events in support of my investigations.

3. This affidavit is being submitted in support of a Criminal Complaint charging Dottie Ann Talavera (Talavera), with violation of Title 18, United States Code, Section 111 (a)(1), Assaulting, resisting, or impeding certain officers or employees. It is my belief, and assertion, that Talavera intentionally and knowingly impeded federal agents from attempting to recover her missing minor daughter, Lillian Talavera (Lillian). Talavera hid Lillian from law enforcement, knowing that Talavera was listed as a missing child.

4. On the morning of April 5, 2016, your affiant, an FBI agent and a U.S. Deputy Marshal interviewed a confidential source that informed Lillian was living with Talavera at Melvin Henderson's (Henderson) home (234 Morningview, San Antonio, Texas).

5. The confidential source informed that Lillian had hid in the attic of Henderson's home when the San Antonio Police Department did a welfare check at 234 Morningview last month.

6. On April 5, 2016, your affiant, an FBI agent and U.S. Marshal parked the affiant's GOV several houses away and conducted surveillance on 346 Morningview. Another U.S. Marshal parked on the other end of the street and conducted surveillance as well.

7. At approximately 4:30 P.M., Talavera's white Dodge Charger pulled into the driveway at 234 Morningview. Your affiant parked his vehicle on the street blocking the driveway. All agents exited both vehicles and identified themselves as police.

8. All agents were wearing vests and or badges that made themselves easily identifiable as law enforcement officers. All agents also identified themselves loudly as law enforcement officers by yelling "police".

9. As your affiant and the other agents surrounded Talavera's vehicle, Talavera placed her vehicle in reverse and accelerated striking the affiants' GOV front passenger door.

10. Talavera placed her car in drive and accelerated forward finally coming to a stop. Once Talavera's vehicle came to a complete stop, agents were able to open the front doors of the vehicle and take control of Talavera and Lillian who was sitting in the front passenger seat all in violation of Title 18, United States Code, Section 111 (a)(1).



Walter R. Zapata, Special Agent
U.S. Department of HUD-Office of Inspector General
San Antonio, Texas

Subscribed and sworn to before me this 6 day of April, 2016.



PAMELA A. MATHY
UNITED STATES MAGISTRATE JUDGE